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2 The Westfield Washington Township Board of Zoning Appeals met at 7:00 p.m. on Monday,
3 March 13, 2012 at Westfield City Hall. Members present included Dan Degnan, Randy Graham,
4 Martin Raines, Bill Sanders, and Ron Rothrock. Also present were Kevin Todd, Senior Planner;
5 Ryan Clark, Planner; and City Attorney, Matt Strzynski.
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7

8 **APPOINTMENT OF 2012 OFFICERS**
9

10 Degnan nominated Randy Graham as Chairman of the 2012 Board of Zoning Appeals.
11

12 Raines seconded, and the motion passed by voice vote.
13

14 Degnan nominated Bill Sanders as Vice Chairman of the 2012 Board of Zoning Appeals.
15

16 Graham seconded, and the motion passed by voice vote.
17

18 Degnan nominated Martin Raines as Chairman Pro Tem of the 2012 Board of Zoning Appeals.
19

20 Graham seconded, and the motion passed by voice vote.
21
22

23 Todd reviewed the BZA Rules of Procedure.
24
25

26 **NEW BUSINESS**
27
28

29 1203-VS-04 **16508 Oak Road, Dawn and Michael Stelts**
30

31 The petitioner is requesting a Variance of Standard from the Westfield-Washington
32 Zoning Ordinance (WC 16.04.030.B.6.b) to reduce the side yard setback from 30 feet to
33 3 feet to accommodate an addition to an existing garage.
34

35 Clark reviewed the petition, which is a variance of standard to reduce the side yard setback
36 requirements from thirty feet to three feet to accommodate an addition to an existing garage.
37

38 Mrs. Dawn Stelts stated the neighbors to the south are the closest to the structure and there are
39 actually three tree lines between the structure and the neighbor. She further stated the neighbors
40 submitted a letter of acceptance.
41

42 A Public Hearing opened at 7:11 p.m.
43

44 No one spoke, and the Public Hearing closed at 7:12 p.m.
45

46 Todd shared an email from a neighbor expressing concern that the tree lines be preserved.
47
48

49 Sanders moved to approve 1203-VS-04 with the following condition:
50

- 51 • That the western tree line on the Property referenced in the February 18, 2012 letter be preserved.
52

53 Degnan seconded, and the motion passed 5-0.
54

55 Graham moved to adopt Staff's Finding of Facts.
56

57 Sanders seconded, and the motion passed by voice vote.
58

59
60 1203-VU-02 **800 E. Main Street, LA Landscapes, Inc.**
61

62 The petitioner is requesting a Variance of Use from the Westfield-Washington Zoning
63 Ordinance (WC 16.04.050.D.2) to allow a landscaping business in the Local Business
64 (LB) District.
65

66 Clark reviewed the petition, which is a variance of use to allow a landscaping business. He
67 stated the property is currently zoned Local Business; the petitioner has included a list of
68 commitments which can be used as conditions of approval.
69

70 Sanders asked if odor would be a problem.
71

72 Mr. Jeff Bellamy, representing the petitioner, shared details of the project including usage and
73 services as well as lighting; he further stated there will be no bulk storage on the site, which
74 would prevent any odor.
75

76 Sanders asked how left over materials are disposed of since they are not stored on site.
77

78 Mr. Lee Ackerman, President of LA Landscapes, stated most of the materials are delivered to job
79 sites and used up during the job. He added there may be a few wheel barrels of mulch that come
80 back on the truck.
81

82 Sanders asked if any security lights will be added.
83

84 Ackerman responded some cameras have been installed on the corner of the building but no
85 additional lighting.
86

87 Rothrock asked what hazardous material precautions are in place.
88

89 Ackerman responded no hazardous materials will be stored on site other than fuel, and there are
90 fire extinguishers by each door.
91

92 Rothrock specifically asked about chemicals used for treatment or weed control.
93

94 Ackerman responded only enclosed containers of Round-Up.
95

96 Degnan asked about winter snow removal.

97 Ackerman responded there will be two snow plow trucks stored in the building.

98

99 A Public Hearing opened at 7:32 p.m.

100

101 Ms. Paula Hull spoke in support of the petitioner and the landscape business.

102

103 The Public Hearing closed at 7:34 p.m.

104

105 Sanders moved to approve 1203-VU-02 with the following conditions:

106

107 1. That there be no storage or delivery of bulk landscaping materials on-site; indoors or
108 outdoors.

109 2. That there be no outdoor storage of equipment. All equipment shall be located
110 indoors.

111 3. That there be no repair or maintenance of equipment outdoors. All maintenance shall
112 be done indoors.

113 4. That there be no Semi-trucks on-site.

114 5. That there be no bulk fuel / petroleum storage on-site; indoors or outdoors.

115 6. That a wooden stockade fence, a minimum of six (6') feet in height, be installed
116 along the northern boundary of the Property no later than May 1, 2012 at a distance
117 indicated on the site plan.

118 7. That no speakers be installed on the exterior of the building.

119 8. That all lighting complies with the lighting requirements of WC 16.07.010.

120

121 Raines seconded, and the motion passed 5-0.

122

123 Graham moved to adopt Staff's Finding of Facts.

124

125 Sanders seconded, and the motion passed by voice vote.

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127

128 1202-VS-01 **525 West David Brown Drive, Tom Roush, Inc.**

129

130 The petitioner is requesting multiple Variances of Standard from the Westfield-
131 Washington Zoning Ordinance, as follows (WC 16.08.010.D.4) to allow the modification
132 of pole sign copy; (WC 16.08.010.D.6) to permit temporary flag signs; (WC
133 16.08.010.E.8) to exceed more than 500 square feet of sign copy; and (WC
134 16.08.10.G.1.a) to exceed the one (1) square foot of sign area per (1) foot of building
135 fronting on right-of-way standard.

136

137 Clark reviewed the petition, which are multiple variances of standard regarding signage. He
138 discussed the sign standards and procedures of surrounding communities.

139

140 Mr. Stephen Watson, representing the petitioner, presented further details of the variances,
141 stating the variances are in order to upgrade the property and it is as a result of a franchise
142 agreement with Ford so much of this is outside the petitioner's control.

143

144 Mr. Jeff Roush presented further details, stating since Mercury no longer has a franchise there
145 and Ford owns and maintains the sign, Ford will be replacing the current sign with the new
146 Lincoln sign. He added they are remodeling the entire interior of the building as well. Roush
147 expressed concern about the visibility of the dealership when the Major Moves US 31 Project is
148 completed and therefore desires to keep and maintain the Pole flags for better visibility.
149

150 A Public Hearing opened at 7:54 p.m.

151

152 Mr. Frank Habig spoke in support of Roush and the signage needs.

153

154 The Public Hearing closed at 7:56 p.m.

155

156 Raines moved to approve 1202-VS-01 as presented.

157

158 Sanders seconded, and the motion passed 5-0.

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160 The meeting adjourned at 8:05 p.m.

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162

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164 _____
Chairman
Randy Graham

Secretary
Matthew Skelton

DRAFT